

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

DONALD DIEDERICH

Plaintiff(s)

vs.

WARDEN, GRAFTON CORRECTIONAL  
INSTITUTION

Defendant(s)

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Case Number: 1:05-cv-00017

Senior District Judge S. Arthur Spiegel

JUDGMENT IN A CIVIL CASE

Decision by Court: This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

. . . that the Court hereby ADOPTS IN ENTIRETY the Magistrate Judge's Report and Recommendation (doc. 10). The Court further DENIES WITH PREJUDICE Petitioner's Petition for Writ of Habeas Corpus (doc. 1), and DENIES to issue a certificate of appealability with respect to the claims in the petition. Finally, the Court hereby CERTIFIES that any appeal of this Order would not be taken in good faith; leave to proceed in forma pauperis on appeal is therefore DENIED.

11/20/06

James Bonini, Clerk

s/Kevin Moser

Deputy Clerk